

# Senate Amendment 3392

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1 1 Amend House File 683, as amended, passed, and  
1 2 reprinted by the House, as follows:  
1 3 #1. By striking everything after the enacting  
1 4 clause and inserting the following:  
1 5 1 6 STATE EMPLOYEE SALARIES  
1 7 Section 1. 2003 Iowa Acts, Senate File 458,  
1 8 section 48, unnumbered paragraphs 1 and 2, if enacted,  
1 9 are amended to read as follows:  
1 10 There is appropriated from the general fund of the  
1 11 state to the salary adjustment fund for distribution  
1 12 by the department of management to the various state  
1 13 departments, boards, commissions, councils, and  
1 14 agencies, and to the state board of regents for those  
1 15 persons employed at the state school for the deaf and  
1 16 the Iowa braille and sight saving school, for the  
1 17 fiscal year beginning July 1, 2003, and ending June  
1 18 30, 2004, the amount of ~~\$20,000,000~~ \$30,000,000, or so  
1 19 much thereof as may be necessary, to fully fund annual  
1 20 pay adjustments, expense reimbursements, and related  
1 21 benefits implemented pursuant to the following:  
1 22 Of the amount appropriated in this section,  
1 23 ~~\$2,668,000~~ \$2,818,000 shall be allocated to the  
1 24 judicial branch for the purpose of funding annual pay  
1 25 adjustments, expense reimbursements, and related  
1 26 benefits implemented for judicial branch employees.  
1 27 In distributing the remainder of the amount  
1 28 appropriated in this section, the department of  
1 29 management, in order to address essential public  
1 30 protection functions and recognizing the availability  
1 31 of funds appropriated in other Acts of the general  
1 32 assembly and other sources, shall give priority, in  
1 33 descending order, to the department of corrections,  
1 34 department of human services, and department of public  
1 35 safety, and then to the remaining state departments,  
1 36 boards, commissions, councils, and agencies to which  
1 37 the appropriation is applicable.  
1 38 Sec. 2. STATE COURTS == JUSTICES, JUDGES, AND  
1 39 MAGISTRATES.  
1 40 1. Of the amount allocated for the judicial branch  
1 41 in 2003 Iowa Acts, Senate File 458, section 48, if  
1 42 enacted, \$150,000 is allocated to fund the changes in  
1 43 this section to the salaries of justices, judges, and  
1 44 magistrates.  
1 45 2. The following annual salary rates shall be paid  
1 46 to the persons holding the judicial positions  
1 47 indicated during the fiscal year beginning July 1,  
1 48 2003, effective with the pay period beginning December  
1 49 19, 2003, and for subsequent pay periods:  
1 50 a. Chief justice of the supreme court:  
2 1 ..... \$ 127,040  
2 2 b. Each justice of the supreme court:  
2 3 ..... \$ 122,500  
2 4 c. Chief judge of the court of appeals:  
2 5 ..... \$ 122,380  
2 6 d. Each associate judge of the court of appeals:  
2 7 ..... \$ 117,850  
2 8 e. Each chief judge of a judicial district:  
2 9 ..... \$ 116,760  
2 10 f. Each district judge except the chief judge of a  
2 11 judicial district:  
2 12 ..... \$ 112,010  
2 13 g. Each district associate judge:  
2 14 ..... \$ 97,610  
2 15 h. Each associate juvenile judge:  
2 16 ..... \$ 97,610  
2 17 i. Each associate probate judge:  
2 18 ..... \$ 97,610  
2 19 j. Each judicial magistrate:  
2 20 ..... \$ 29,100  
2 21 k. Each senior judge:  
2 22 ..... \$ 6,500  
2 23 3. Persons receiving the salary rates established  
2 24 under subsection 2 shall not receive any additional  
2 25 salary adjustments provided by 2003 Iowa Acts, Senate

2 26 File 458, division V.  
 2 27 DIVISION II  
 2 28 APPROPRIATIONS AND APPROPRIATIONS REVISIONS  
 2 29 INSURANCE DIVISION  
 2 30 Sec. 3. INSURANCE STUDY. There is appropriated  
 2 31 from the general fund of the state to the department  
 2 32 of commerce for the fiscal year beginning July 1,  
 2 33 2003, and ending June 30, 2004, the following amount,  
 2 34 or so much thereof as is necessary, to be used for the  
 2 35 purpose designated:  
 2 36 For the insurance division to implement the school  
 2 37 health insurance reform team study in accordance with  
 2 38 2003 Iowa Acts, Senate File 386:  
 2 39 ..... \$ 15,000  
 2 40 DEPARTMENT OF MANAGEMENT  
 2 41 Sec. 4. LOCAL GOVERNMENT INNOVATION FUND  
 2 42 APPROPRIATION. There is appropriated from the general  
 2 43 fund of the state to the department of management for  
 2 44 the fiscal year beginning July 1, 2003, and ending  
 2 45 June 30, 2004, the following amount, or so much  
 2 46 thereof as is necessary, to be used for the purpose  
 2 47 designated:  
 2 48 For deposit in the local government innovation fund  
 2 49 created in section 8.64:  
 2 50 ..... \$ 1,000,000  
 3 1 Notwithstanding section 8.64, subsection 4, if  
 3 2 enacted by 2003 Iowa Acts, Senate File 453, section  
 3 3 27, the local government innovation fund committee may  
 3 4 provide up to 20 percent of the amount appropriated in  
 3 5 this section in the form of forgivable loans or as  
 3 6 grants for those projects that propose a new and  
 3 7 innovative sharing initiative that would serve as an  
 3 8 important model for cities and counties.  
 3 9 DEPARTMENT OF CORRECTIONS  
 3 10 Sec. 5. There is appropriated from the rebuild  
 3 11 Iowa infrastructure fund to the department of  
 3 12 corrections for the fiscal year beginning July 1,  
 3 13 2003, and ending June 30, 2004, the following amounts,  
 3 14 or so much thereof as is necessary, to be used for the  
 3 15 purposes designated:  
 3 16 1. For expansion of the Luster Heights facility  
 3 17 into a community-based corrections facility and an  
 3 18 institutional work and substance abuse treatment  
 3 19 center:  
 3 20 ..... \$ 92,000  
 3 21 2. For conversion of the Clarinda lodge into  
 3 22 minimum security bed space:  
 3 23 ..... \$ 730,000  
 3 24 Sec. 6. 2003 Iowa Acts, Senate File 439, section  
 3 25 4, subsection 1, paragraphs b and g, as enacted, are  
 3 26 amended to read as follows:  
 3 27 b. For the operation of the Anamosa correctional  
 3 28 facility, including salaries, support, maintenance,  
 3 29 employment of correctional officers and a part-time  
 3 30 chaplain to provide religious counseling to inmates of  
 3 31 a minority race, miscellaneous purposes, and for not  
 3 32 more than the following full-time equivalent  
 3 33 positions:  
 3 34 ..... \$ ~~24,531,917~~  
 3 35 25,196,085  
 3 36 ..... FTEs 375.75  
 3 37 Moneys are provided within this appropriation for  
 3 38 one full-time substance abuse counselor for the Luster  
 3 39 Heights facility, for the purpose of certification of  
 3 40 a substance abuse program at that facility. Of the  
 3 41 funds appropriated in this paragraph "b", \$664,000 is  
 3 42 allocated for implementation costs associated with  
 3 43 expansion of the Luster Heights facility.  
 3 44 g. For the operation of the Clarinda correctional  
 3 45 facility, including salaries, support, maintenance,  
 3 46 employment of correctional officers, miscellaneous  
 3 47 purposes, and for not more than the following full-  
 3 48 time equivalent positions:  
 3 49 ..... \$ ~~18,595,788~~  
 3 50 19,389,220  
 4 1 ..... FTEs 291.76  
 4 2 Moneys received by the department of corrections as  
 4 3 reimbursement for services provided to the Clarinda  
 4 4 youth corporation are appropriated to the department  
 4 5 and shall be used for the purpose of operating the  
 4 6 Clarinda correctional facility.

4 7 Of the funds appropriated in this paragraph "g",  
 4 8 \$793,432 is allocated for implementation costs  
 4 9 associated with expansion of the conversion of the  
 4 10 Clarinda lodge, with \$277,500 of the allocation for  
 4 11 one-time costs and \$515,932 for ongoing costs.  
 4 12 PUBLIC TRANSIT  
 4 13 Sec. 7. 2003 Iowa Acts, Senate File 458, section  
 4 14 8, if enacted, is amended to read as follows:  
 4 15 SEC. 8. PUBLIC TRANSIT ASSISTANCE APPROPRIATION.  
 4 16 Notwithstanding section 312.2, subsection 14, the  
 4 17 amount appropriated from the general fund of the state  
 4 18 under section 312.2, subsection 14, to the state  
 4 19 department of transportation for public transit  
 4 20 assistance under chapter 324A for the fiscal year  
 4 21 beginning July 1, 2003, and ending June 30, 2004, is  
 4 22 reduced by the following amount:  
 4 23 ..... \$ ~~1,298,675~~  
 4 24 2,582,800  
 4 25 OFFICE OF THE GOVERNOR  
 4 26 Sec. 8. 2003 Iowa Acts, House File 655, section 5,  
 4 27 subsection 1, if enacted, is amended to read as  
 4 28 follows:  
 4 29 1. GENERAL OFFICE  
 4 30 For salaries, support, maintenance, and  
 4 31 miscellaneous purposes for the general office of the  
 4 32 governor and the general office of the lieutenant  
 4 33 governor, and for not more than the following full=  
 4 34 time equivalent positions:  
 4 35 ..... \$ ~~1,243,643~~  
 4 36 1,493,643  
 4 37 ..... FTEs ~~17.25~~  
 4 38 19.25  
 4 39 Of the amount appropriated in this section,  
 4 40 \$250,000 is allocated for two full-time equivalent  
 4 41 positions in the office of the governor that were  
 4 42 previously funded by other state departments and  
 4 43 agencies.  
 4 44 DEPARTMENT OF REVENUE  
 4 45 Sec. 9. 2003 Iowa Acts, House File 655, section  
 4 46 31, if enacted, is amended to read as follows:  
 4 47 SEC. 31. DEPARTMENT OF REVENUE. There is  
 4 48 appropriated from the general fund of the state to the  
 4 49 department of revenue for the fiscal year beginning  
 4 50 July 1, 2003, and ending June 30, 2004, the following  
 5 1 amounts, or so much thereof as is necessary, to be  
 5 2 used for the purposes designated, and for not more  
 5 3 than the following full-time equivalent positions used  
 5 4 for the purposes designated in subsection 1:  
 5 5 ..... FTEs ~~378.87~~  
 5 6 380.87  
 5 7 Of the full-time equivalent positions authorized in  
 5 8 this section, two full-time equivalent positions are  
 5 9 allocated for new positions to assist in preparation  
 5 10 of information for the revenue estimating conference  
 5 11 and in improving the turnaround time for processing  
 5 12 corporate tax filings.  
 5 13 1. COMPLIANCE == INTERNAL RESOURCES MANAGEMENT ==  
 5 14 STATE FINANCIAL MANAGEMENT == STATEWIDE PROPERTY TAX  
 5 15 ADMINISTRATION  
 5 16 For salaries, support, maintenance, and  
 5 17 miscellaneous purposes:  
 5 18 ..... \$ ~~23,259,111~~  
 5 19 23,359,111  
 5 20 Of the funds appropriated pursuant to this  
 5 21 subsection, \$400,000 shall be used to pay the direct  
 5 22 costs of compliance related to the collection and  
 5 23 distribution of local sales and services taxes imposed  
 5 24 pursuant to chapters 422B and 422E.  
 5 25 The director of revenue shall prepare and issue a  
 5 26 state appraisal manual and the revisions to the state  
 5 27 appraisal manual as provided in section 421.17,  
 5 28 subsection 18, without cost to a city or county.  
 5 29 2. COLLECTION COSTS AND FEES  
 5 30 For payment of collection costs and fees pursuant  
 5 31 to section 422.26:  
 5 32 ..... \$ 28,166  
 5 33 DEPARTMENT OF PUBLIC HEALTH  
 5 34 Sec. 10. 2003 Iowa Acts, House File 667, section  
 5 35 2, subsection 8, as enacted, is amended to read as  
 5 36 follows:  
 5 37 8. INFECTIOUS DISEASES

5 38	For reducing the incidence and prevalence of	
5 39	communicable diseases, and for not more than the	
5 40	following full-time equivalent positions:	
5 41	..... \$	977,340
5 42		1,074,888
5 43	..... FTEs	36.90

5 44 DIVISION III

5 45 MISCELLANEOUS PROVISIONS

5 46 Sec. 11. GOVERNMENT OVERSIGHT COMMITTEE == REVIEW  
5 47 OF CONTINUING CARE RETIREMENT COMMUNITIES == ASSISTED  
5 48 LIVING PROGRAM APPLICABILITY. The government  
5 49 oversight committees shall review the application of  
5 50 chapter 231C, relating to assisted living programs, to  
6 1 continuing care retirement communities, as defined in  
6 2 section 523D.1. The committees shall submit  
6 3 recommendations for any legislation deemed necessary  
6 4 for consideration during the 2004 regular legislative  
6 5 session.

6 6 Sec. 12. Section 15E.193B, subsection 4, Code  
6 7 2003, as amended by 2003 Iowa Acts, Senate File 458,  
6 8 section 100, if enacted, is amended to read as  
6 9 follows:

6 10 4. The eligible housing business shall complete  
6 11 its building or rehabilitation within two years from  
6 12 the time the business begins construction on the  
6 13 single-family homes and dwelling units. The failure  
6 14 to complete construction or rehabilitation within two  
6 15 years shall result in the eligible housing business  
6 16 becoming ineligible and subject to the repayment  
6 17 requirements and penalties enumerated in subsection 7.  
6 18 The department may extend the prescribed two-year  
6 19 completion period for any current or future project  
6 20 which has not been completed if the department  
6 21 determines that completion within the two-year period  
6 22 is impossible or impractical as a result of a  
6 23 substantial loss caused by flood, fire, earthquake,  
6 24 storm, or other catastrophe. For purposes of this  
6 25 subsection, "substantial loss" means damage or  
6 26 destruction in an amount in excess of thirty percent  
6 27 of the project's expected eligible basis as set forth  
6 28 in the eligible housing business's application.

6 29 Sec. 13. Section 215.14, Code 2003, is amended to  
6 30 read as follows:

6 31 215.14 APPROVAL BY DEPARTMENT.

6 32 A commercial weighing and measuring device shall  
6 33 not be installed in this state unless approved by the  
6 34 department. ~~All livestock scales and~~

6 35 1. A pit type ~~scales~~ scale or any other scale  
6 36 installed in a pit, regardless of capacity, that is  
6 37 installed on or after July 1, 1990, shall have a  
6 38 clearance of not less than four feet from the finished  
6 39 floor line of the scale to the bottom of the "I" beam  
6 40 of the scale bridge. Livestock shall not be weighed  
6 41 on any scale other than a livestock scale or pit type  
6 42 scale.

6 43 2. An electronic pitless scale shall be placed on  
6 44 concrete footings with concrete floor. ~~The concrete~~  
6 45 floor shall allow for adequate drainage away from the  
6 46 scale as required by the department. There shall be a  
6 47 clearance of not less than eight inches between the  
6 48 weigh bridge and the concrete floor to facilitate  
6 49 inspection and cleaning.

6 50 3. After approval by the department, the  
7 1 specifications for a commercial weighing and measuring  
7 2 device shall be furnished to the purchaser of the  
7 3 device by the manufacturer. The approval shall be  
7 4 based upon the recommendation of the United States  
7 5 national institute of standards and technology.

7 6 Sec. 14. Section 231C.17, subsection 4, if enacted  
7 7 by 2003 Iowa Acts, House File 675, section 24, is  
7 8 amended by striking the subsection and inserting in  
7 9 lieu thereof the following:

7 10 4. A continuing care retirement community that is  
7 11 in compliance with chapter 523D shall not be held in  
7 12 violation of this chapter if the continuing care  
7 13 retirement community provides personal care services  
7 14 to its independent living tenants if all of the  
7 15 following conditions are met:

7 16 a. The independent living tenants being provided  
7 17 personal care services under this subsection do not  
7 18 require staff supervision during the period when such

7 19 services are not being provided.  
7 20 b. The portions of the continuing care retirement  
7 21 community in which tenants reside who do require staff  
7 22 supervision beyond the period in which personal care  
7 23 services are being provided are certified in  
7 24 accordance with this chapter or other applicable  
7 25 chapter.  
7 26 c. Independent living tenants are provided the  
7 27 option of retaining personal care services from a  
7 28 person other than the continuing care retirement  
7 29 community.  
7 30 For the purposes of this subsection, "continuing  
7 31 care retirement community" means as defined in section  
7 32 523D.1.  
7 33 Sec. 15. Section 384.84, Code 2003, is amended by  
7 34 adding the following new subsection:  
7 35 NEW SUBSECTION. 9. Notwithstanding subsection 3,  
7 36 a lien shall not be filed against the land if the  
7 37 premises are located on leased land. If the premises  
7 38 are located on leased land, a lien may be filed  
7 39 against the premises only.  
7 40 Sec. 16. Section 422E.3A, subsection 2, paragraph  
7 41 a, if enacted by 2003 Iowa Acts, Senate File 445,  
7 42 section 8, is amended to read as follows:  
7 43 a. A school district that is located in whole or  
7 44 in part in a county that voted on and approved prior  
7 45 to April 1, 2003, the local sales and services tax for  
7 46 school infrastructure purposes and that has a sales  
7 47 tax capacity per student above the guaranteed school  
7 48 infrastructure amount shall receive for the remainder  
7 49 of the term of the tax an amount equal to its pro rata  
7 50 share of the local sales and services tax receipts as  
8 1 provided in section 422E.3, subsection 5, paragraph  
8 2 "d", unless the school board passes a resolution by  
8 3 October 1, 2003, agreeing to receive a distribution  
8 4 pursuant to paragraph "b", subparagraph (1).  
8 5 Sec. 17. Section 422E.3A, subsection 2, paragraph  
8 6 b, subparagraph (1), if enacted by 2003 Iowa Acts,  
8 7 Senate File 445, section 8, is amended to read as  
8 8 follows:  
8 9 (1) A school district that is located in whole or  
8 10 in part in a county that voted on and approved prior  
8 11 to April 1, 2003, the local sales and services tax for  
8 12 school infrastructure purposes and that has a sales  
8 13 tax capacity per student below its guaranteed school  
8 14 infrastructure amount shall receive for the remainder  
8 15 of the term of the tax an amount equal to its pro rata  
8 16 share of the local sales and services tax receipts as  
8 17 provided in section 422E.3, subsection 5, paragraph  
8 18 "d", plus an amount equal to its supplemental school  
8 19 infrastructure amount, unless the school district  
8 20 passes a resolution by October 1, 2003, agreeing to  
8 21 receive only an amount equal to its pro rata share as  
8 22 provided in section 422E.3, subsection 5, paragraph  
8 23 "d", in all subsequent years.  
8 24 Sec. 18. Section 435.26A, subsection 5, as enacted  
8 25 by 2003 Iowa Acts, Senate File 134, section 7, and as  
8 26 amended by 2003 Iowa Acts, Senate File 458, section  
8 27 128, if enacted, is amended to read as follows:  
8 28 5. An owner of a manufactured home who has  
8 29 surrendered a certificate of title under this section  
8 30 and requires another certificate of title for the  
8 31 manufactured home is required to apply for a  
8 32 certificate of title under ~~section 321.42~~ chapter 321.  
8 33 If supporting documents for the reissuance of a title  
8 34 are not available or sufficient, the procedure for the  
8 35 reissuance of a title specified in the rules of the  
8 36 department of transportation shall be used.  
8 37 Sec. 19. Section 508.31A, subsection 2, paragraph  
8 38 a, subparagraph (4), as enacted by 2003 Iowa Acts,  
8 39 House File 647, section 7, is amended to read as  
8 40 follows:  
8 41 (4) A person other than a natural person for the  
8 42 purpose of providing collateral security for  
8 43 securities ~~issued by such person and~~ registered with  
8 44 the federal securities and exchange commission.  
8 45 Sec. 20. 2003 Iowa Acts, Senate File 401, section  
8 46 5, subsection 1, is amended by striking the subsection  
8 47 and inserting in lieu thereof the following:  
8 48 1. Notwithstanding any provision of law to the  
8 49 contrary, violations of section 453A.2, subsection 1,

8 50 pending on April 11, 2003, for which a county health  
9 1 department, a city health department, or a city has  
9 2 not assessed a penalty under section 453A.22,  
9 3 subsection 2, by June 30, 2003, shall be transferred  
9 4 in accordance with section 453A.2, subsection 5A, as  
9 5 enacted by this Act, on July 1, 2003.

9 6 Sec. 21. 2003 Iowa Acts, Senate File 453, section  
9 7 31, subsection 1, if enacted, is amended to read as  
9 8 follows:

9 9 1. In lieu of applying a charge for capital assets  
9 10 to the institutions under the control of the state  
9 11 board of regents as otherwise provided in this  
9 12 division for executive branch agencies, the  
9 13 appropriations made from the general fund of the state  
9 14 to the state board of regents for the ~~general~~  
~~9 15 university~~ operating budgets at the state university  
9 16 of Iowa, Iowa state university of science and  
9 17 technology, and university of northern Iowa, in 2003  
9 18 Iowa Acts, House File 662, section 9, subsections 2,  
9 19 3, and 4, are reduced by \$17,880,000. ~~The state board~~  
~~9 20 of regents shall apply the reduction as follows: state~~  
~~9 21 university of Iowa, 46.7 percent, Iowa state~~  
~~9 22 university of science and technology, 36.8 percent,~~  
~~9 23 and university of northern Iowa, 16.5 percent.~~

9 24 Sec. 22. 2003 Iowa Acts, Senate File 458, section  
9 25 171, subsection 1, if enacted, is amended to read as  
9 26 follows:

9 27 1. PURPOSE. The general assembly finds that the  
9 28 Iowa communications network is a valuable state asset  
9 29 that has served the people of the state well, but  
9 30 which requires significant ongoing financial support  
9 31 from the state in the form of annual appropriations.  
9 32 The operation of a telecommunications network is a  
9 33 function that can be and generally is conducted by  
9 34 private enterprise. It is in the public interest to  
9 35 sell the Iowa communications network to a qualified  
9 36 private business enterprise that will commit to  
9 37 provide the same secure low-cost high-quality service  
9 38 to ~~state and federal public and private agencies and~~  
~~9 39 military installations, as defined in chapter 8D, now~~  
9 40 provided by the network. Through such a sale, the  
9 41 state would eliminate the need for ongoing annual  
9 42 appropriations while preserving the key benefits  
9 43 enjoyed by the state under the present state ownership  
9 44 of the network. The state also expects to obtain  
9 45 sufficient proceeds from such a sale to cover existing  
9 46 obligations and to realize additional proceeds above  
9 47 the level of such obligations. Given the current  
9 48 depressed state of the telecommunications industry,  
9 49 the state can reasonably be expected to maximize sales  
9 50 proceeds by allowing a purchaser a period of time in  
10 1 which to assemble financing for its purchase. During  
10 2 the interim between enactment of this division of this  
10 3 Act and completion of a sale, the services of a  
10 4 private-enterprise manager with experience operating  
10 5 telecommunications networks can reasonably be expected  
10 6 to reduce the costs of operating the Iowa  
10 7 communications network, thereby lowering annual  
10 8 appropriations.

10 9 Sec. 23. 2003 Iowa Acts, Senate File 458, section  
10 10 172, subsection 2, paragraph b, if enacted, is amended  
10 11 to read as follows:

10 12 b. Select a manager and enter into a management  
10 13 contract with the manager by October 1, 2004. The  
10 14 management contract shall provide for the continuation  
10 15 of all services currently being provided to ~~state and~~  
~~10 16 federal public and private agencies and military~~  
~~10 17 installations~~ pursuant to chapter 8D, at the rates  
10 18 specified therein, for the duration of the contract.  
10 19 The contract shall also specify the manager's  
10 20 authority in relation to the duties of the commission  
10 21 during the period between execution of the management  
10 22 contract and closing of the sale of the network. The  
10 23 commission shall establish a dispute resolution  
10 24 process regarding rate increases, quality of service  
10 25 issues, and other areas of dispute involving network  
10 26 subscribers. The commission shall also make  
10 27 recommendations regarding imposition of an ongoing  
10 28 dispute resolution and appeals process commencing with  
10 29 the closing of the sale of the network.

10 30 Sec. 24. 2003 Iowa Acts, Senate File 458, section

10 31 173, subsection 1, if enacted, is amended to read as  
10 32 follows:  
10 33 1. ~~The principal place of business of the~~  
10 34 purchaser and any parent of the purchaser shall be  
10 35 ~~located operating~~ in the state of Iowa.  
10 36 Sec. 25. 2003 Iowa Acts, section 174, subsection  
10 37 4, if enacted, is amended to read as follows:  
10 38 4. Agree to continue all services currently being  
10 39 provided to ~~state and federal public and private~~  
10 40 ~~agencies and military installations, as defined in~~  
10 41 ~~chapter 8D,~~ for the next ten years, with any annual  
10 42 rate increase not to exceed five percent per year,  
10 43 provided that the purchaser shall not be required to  
10 44 supply at such restricted prices a quantity or quality  
10 45 of service greater than that provided by the network  
10 46 as of execution of the contract for sale of the  
10 47 network.  
10 48 Sec. 26. EFFECTIVE DATE == RETROACTIVE  
10 49 APPLICABILITY.  
10 50 1. The section of this division of this Act  
11 1 amending section 231C.17, being deemed of immediate  
11 2 importance, takes effect upon enactment.  
11 3 2. The section of this division of this Act  
11 4 amending 2003 Iowa Acts, Senate File 401, being deemed  
11 5 of immediate importance, takes effect upon enactment  
11 6 and is retroactively applicable to April 11, 2003.  
11 7 DIVISION IV  
11 8 CORRECTIVE PROVISIONS  
11 9 Sec. 27. Section 8A.505, as enacted by 2003 Iowa  
11 10 Acts, House File 534, section 87, is amended by adding  
11 11 the following new unnumbered paragraph:  
11 12 NEW UNNUMBERED PARAGRAPH. There is appropriated  
11 13 annually from the increase in indirect cost  
11 14 reimbursements over the amount of indirect cost  
11 15 reimbursements received during the fiscal year  
11 16 beginning July 1, 2002, to the office of grants  
11 17 enterprise management of the department of management  
11 18 the sum of up to one hundred twenty-five thousand  
11 19 dollars. The director shall transfer the funds  
11 20 appropriated to the department of management as  
11 21 provided in this paragraph and shall make the funds  
11 22 resulting from the increase in reimbursements  
11 23 available during the fiscal year to the department of  
11 24 management on a monthly basis. If the amount of the  
11 25 increase in indirect cost reimbursements is  
11 26 insufficient to pay the maximum appropriation provided  
11 27 for in this paragraph, the amount appropriated is  
11 28 equal to the amount of such increase.  
11 29 Sec. 28. Section 12C.4, Code 2003, as amended by  
11 30 2003 Iowa Acts, House File 289, section 2, is amended  
11 31 to read as follows:  
11 32 12C.4 LOCATION OF DEPOSITORIES.  
11 33 Deposits by the treasurer of state shall be in  
11 34 depositories located in this state; by a county  
11 35 officer or county public hospital officer or merged  
11 36 area hospital officer, in depositories located in the  
11 37 county or in an adjoining county within this state; by  
11 38 a memorial hospital treasurer, in a depository located  
11 39 within this state which shall be selected by the  
11 40 memorial hospital treasurer and approved by the  
11 41 memorial hospital commission; by a city treasurer or  
11 42 other city financial officer, in depositories located  
11 43 in the county in which the city is located or in an  
11 44 adjoining county, but if there is no depository in the  
11 45 county in which the city is located or in an adjoining  
11 46 county then in any other depository located in this  
11 47 state which shall be selected as a depository by the  
11 48 city council; by a school treasurer or by a school  
11 49 secretary in a depository within this state which  
11 50 shall be selected by the board of directors or the  
12 1 trustees of the school district; by a township clerk  
12 2 in a depository located within this state which shall  
12 3 be selected by the township clerk and approved by the  
12 4 trustees of the township. However, deposits may be  
12 5 made in depositories outside of Iowa for the purpose  
12 6 of paying principal and interest on bonded  
12 7 indebtedness of any municipality when the deposit is  
12 8 made not more than ten days before the date the  
12 9 principal or interest becomes due. Further, the  
12 10 treasurer of state may maintain an account or accounts  
12 11 outside the state of Iowa for the purpose of providing

12 12 custodial services for the state and state retirement  
12 13 fund accounts. Deposits made for the purpose of  
12 14 completing an electronic financial transaction  
12 15 pursuant to section ~~14B-203~~ 8A.222 or 331.427 may be  
12 16 made in any depository located in this state.  
12 17 Sec. 29. Section 29A.28, subsection 3, as enacted  
12 18 by 2003 Iowa Acts, House File 674, section 3, is  
12 19 amended to read as follows:  
12 20 3. Upon returning from a leave of absence under  
12 21 this section, an employee shall be entitled to return  
12 22 to the same position and classification held by the  
12 23 employee at the time of entry ~~onto~~ into state active  
12 24 duty, active state service, or federal service or to  
12 25 the position and classification that the employee  
12 26 would have been entitled to if the continuous civil  
12 27 service of the employee had not been interrupted by  
12 28 state active duty, active state service, or federal  
12 29 service. Under this subsection, "position" includes  
12 30 the geographical location of the position.  
12 31 Sec. 30. Section 70A.39, subsection 1, paragraph  
12 32 b, as enacted by 2003 Iowa Acts, House File 381,  
12 33 section 1, is amended to read as follows:  
12 34 b. ~~"Vascularized~~ "Vascular organ" means a heart,  
12 35 lung, liver, pancreas, kidney, intestine, or other  
12 36 organ that requires the continuous circulation of  
12 37 blood to remain useful for purposes of  
12 38 transplantation.  
12 39 Sec. 31. Section 99B.7, subsection 1, paragraph 1,  
12 40 subparagraph (1), Code 2003, as amended by 2003 Iowa  
12 41 Acts, Senate File 453, section 104, if enacted, is  
12 42 amended to read as follows:  
12 43 (1) No other gambling is engaged in at the same  
12 44 location, except that lottery tickets or shares issued  
12 45 by the Iowa lottery division of the department of  
~~12 46 revenue and finance authority~~ may be sold pursuant to  
12 47 chapter 99G.  
12 48 Sec. 32. Section 507A.4, subsection 9, paragraph  
12 49 e, as enacted by 2003 Iowa Acts, House File 647,  
12 50 section 4, is amended to read as follows:  
13 1 e. When not otherwise provided, a foreign or  
13 2 domestic multiple ~~employee~~ employer welfare  
13 3 arrangement doing business in this state shall pay to  
13 4 the commissioner of insurance the fees as required in  
13 5 section 511.24.  
13 6 Sec. 33. Section 556.11, subsection 5, Code 2003,  
13 7 as amended by 2003 Iowa Acts, Senate File 180, section  
13 8 2, is amended to read as follows:  
13 9 5. If the holder of property presumed abandoned  
13 10 under this chapter knows the whereabouts of the owner  
13 11 and if the owner's claim has not been barred by the  
13 12 statute of limitations, the holder shall, before  
13 13 filing the annual report, communicate with the owner  
13 14 and take necessary steps to prevent abandonment from  
13 15 being presumed. The holder shall exercise due  
13 16 diligence to ascertain the whereabouts of the owner. A  
13 17 holder is not required to make a due diligence mailing  
13 18 to owners whose property has an aggregate value of  
13 19 less than fifty dollars. The treasurer of state may  
13 20 charge a holder that fails to timely exercise due  
13 21 diligence, as required in this subsection, five  
13 22 dollars for each name and address account reported if  
13 23 thirty-five percent ~~of~~ or more of the accounts are  
13 24 claimed within the twenty-four months immediately  
13 25 following the filing of the holder report.  
13 26 Sec. 34. 2003 Iowa Acts, Senate File 438, section  
13 27 3, is repealed.  
13 28 Sec. 35. 2003 Iowa Acts, Senate File 453, section  
13 29 11, if enacted, is amended to read as follows:  
13 30 SEC. 11. Sections ~~403-23~~, 405A.1, 405A.2, 405A.3,  
13 31 405A.4, 405A.5, 405A.6, 405A.7, 405A.8, 405A.9,  
13 32 405A.10, 422.65, 427A.12, and 427B.19B, Code 2003, are  
13 33 repealed.  
13 34 Sec. 36. 2003 Iowa Acts, Senate File 458, section  
13 35 13, if enacted, is amended to read as follows:  
13 36 SEC. 13. REDUCTION IN CREDITS NOT APPLICABLE. The  
13 37 provision provisions in section 25B.7 relating to the  
13 38 proration of the property tax credits ~~does~~ and the  
~~13 39 estimation of the portion of the credit or exemption~~  
~~13 40 which will be funded~~ do not apply with respect to the  
13 41 amount of state reimbursement for property tax credits  
13 42 under this division.



13 43 Sec. 37. 2003 Iowa Acts, Senate File 458, section  
13 44 159, if enacted, is amended to read as follows:  
13 45 SEC. 159. EFFECTIVE DATES. The following  
13 46 provisions of this division of this Act, being deemed  
13 47 of immediate importance, take effect upon enactment:  
13 48 1. The amendments to sections 8.23, 8.31, and 8.57  
13 49 which are first applicable to appropriations made for  
13 50 the fiscal year beginning July 1, 2003.  
14 1 2. The amendment to section 12E.12.  
14 2 3. The amendments to sections 15E.42, 15E.43,  
14 3 15E.45, and 15E.51, which apply retroactively to  
14 4 January 1, 2002, for tax years beginning on or after  
14 5 that date.  
14 6 4. The amendment to section 15E.193B.  
14 7 5. The amendment to section 435.26A.  
14 8 6. The amendment to section 453A.2, which shall  
14 9 only take effect if 2003 Iowa Acts, Senate File 401,  
14 10 is enacted by the Eightieth General Assembly, 2003  
14 11 Regular Session.  
14 12 7. The amendments to sections 453C.1 and 453C.2  
14 13 and the related severability provision.  
14 14 8. The amendments to sections 518.18 and 518A.35.  
14 15 9. The section directing the department of  
14 16 corrections to develop a plan for selling certain  
14 17 land.  
14 18 10. The section relating to the sales and use tax  
14 19 refund.  
14 20 11. The section relating to the school district  
14 21 reimbursement claim.  
14 22 The sections of this division of this Act amending  
14 23 section 80B.5 and enacting section 80B.5A are  
14 24 applicable to the appointment of the director of the  
14 25 Iowa law enforcement academy for the term beginning  
14 26 May 1, 2004.  
~~14 27 Section 29C.8, subsection 3, paragraph "f", as~~  
~~14 28 enacted in this division of this Act, and the~~  
~~14 29 amendment to section 29C.20, subsection 1, as enacted~~  
~~14 30 in this division of this Act, take effect July 1,~~  
~~14 31 2004.~~  
14 32 Sec. 38. 2003 Iowa Acts, House File 171, section  
14 33 112, the bill section amending clause, is amended to  
14 34 read as follows:  
14 35 Section 656.2, subsection 2, paragraph a,  
14 36 unnumbered paragraph ~~11~~ 3, Code 2003, is amended to  
14 37 read as follows:  
14 38 Sec. 39. 2003 Iowa Acts, House File 662, section  
14 39 5, subsection 8, paragraphs a and b, if enacted, are  
14 40 amended to read as follows:  
14 41 a. Of the amount appropriated in this ~~section~~  
14 42 subsection, \$347,371 shall be allocated to the public  
14 43 broadcasting division for purposes of providing  
14 44 support for functions related to the Iowa  
14 45 communications network, including but not limited to  
14 46 the following functions: development of distance  
14 47 learning applications; development of a central  
14 48 information source on the internet relating to  
14 49 educational uses of the network; second-line technical  
14 50 support for network sites; testing and initializing  
15 1 sites onto the network; and coordinating the work of  
15 2 the education telecommunications council.  
15 3 b. Of the amount appropriated in this ~~section~~  
15 4 subsection, \$1,272,285 shall be allocated to the  
15 5 regional telecommunications councils established in  
15 6 section 8D.5. The regional telecommunications  
15 7 councils shall use the funds to provide technical  
15 8 assistance for network classrooms, planning and  
15 9 troubleshooting for local area networks, scheduling of  
15 10 video sites, and other related support activities.  
15 11 Sec. 40. 2003 Iowa Acts, House File 662, section  
15 12 6, unnumbered paragraph 2, if enacted, is amended to  
15 13 read as follows:  
15 14 The funds allocated in this ~~subsection~~ section  
15 15 shall be distributed as follows:  
15 16 Sec. 41. 2003 Iowa Acts, House File 662, section  
15 17 18, if enacted, is repealed.  
15 18 Sec. 42. EFFECTIVE AND APPLICABILITY DATES.  
15 19 1. The section of this division of this Act  
15 20 amending section 29A.28, subsection 3, being deemed of  
15 21 immediate importance, takes effect upon enactment and  
15 22 applies retroactively to January 1, 2003.  
15 23 2. The section of this division of this Act

15 24 amending 2003 Iowa Acts, Senate File 458, section 159,  
15 25 being deemed of immediate importance, takes effect  
15 26 upon enactment.  
15 27 3. 2003 Iowa Acts, Senate File 458, section 140,  
15 28 relating to nonreversion of funds appropriated in 1996  
15 29 Iowa Acts, chapter 1218, and 1997 Iowa Acts, chapter  
15 30 215, if enacted, being deemed of immediate importance,  
15 31 takes effect upon enactment of this Act.

15 32 DIVISION V

15 33 ALTERNATIVE FORMS OF LOCAL GOVERNMENT

15 34 Sec. 43. Section 331.234, subsections 3 and 4,  
15 35 Code 2003, as amended by 2003 Iowa Acts, Senate File  
15 36 390, section 4, if enacted, are amended to read as  
15 37 follows:

15 38 3. The board shall make available to the  
15 39 commission in-kind services such as office space,  
15 40 printing, supplies, and equipment. ~~The county and~~  
15 41 ~~shall pay from the segregated account established in~~  
15 42 ~~subsection 4, the other necessary expenses of the~~  
15 43 ~~commission including compensation for secretarial,~~  
15 44 ~~clerical, professional, and consultant services. The~~  
15 45 ~~total annual expenses, not including the value of in-~~  
15 46 ~~kind expenses, to be paid from public funds shall not~~  
15 47 ~~exceed one hundred thousand dollars or an amount equal~~  
15 48 ~~to thirty cents times the population of the commission~~  
15 49 ~~area, according to the most recent certified federal~~  
15 50 ~~census. The commission may employ staff as necessary.~~  
16 1 4. ~~The~~ Except as otherwise provided in subsection  
16 2 5, the expenses of the commission shall be paid by  
16 3 ~~each city and county participating in the charter~~  
16 4 ~~process or may be paid from the general fund of the~~  
16 5 ~~county. Expenses of the commission may also be paid~~  
16 6 ~~from any combination of public or private funds~~  
16 7 ~~available for that purpose. Each city's share shall~~  
16 8 ~~be its pro rata share of the expenses based upon the~~  
16 9 ~~ratio that the population of the city bears to the~~  
16 10 ~~total population in the county. The county's share~~  
16 11 ~~shall be its pro rata share of expenses based upon the~~  
16 12 ~~ratio that the population of the unincorporated area~~  
16 13 ~~of the county bears to the total population of the~~  
16 14 ~~county. The amount paid by each city and county~~  
16 15 ~~participating in the charter process shall be~~  
16 16 ~~deposited in a segregated account maintained by the~~  
16 17 ~~county. The commission's annual expenses may exceed~~  
16 18 ~~the amount in subsection 3 only if the excess is paid~~  
16 19 ~~from private funds. If a proposed charter is~~  
16 20 ~~submitted to the electorate, private funds donated to~~  
16 21 ~~the commission may be used to promote passage of the~~  
16 22 ~~proposed charter.~~

16 23 Sec. 44. Section 331.234, Code 2003, is amended by  
16 24 adding the following new subsection:

16 25 NEW SUBSECTION. 5. In the case of a city=county  
16 26 consolidation charter commission or a community  
16 27 commonwealth charter commission, the expenses of the  
16 28 commission shall be paid by each city and county  
16 29 participating in the charter process pursuant to  
16 30 section 331.233A. Each participating city's share  
16 31 shall be its pro rata share of the expenses based upon  
16 32 the ratio that the population of the city bears to the  
16 33 total population in the county. The remainder shall  
16 34 be paid from the general fund of the county. The  
16 35 amount paid by each city and county participating in  
16 36 the charter process shall be deposited in a segregated  
16 37 account maintained by the county.

16 38 Sec. 45. Section 331.235, subsection 3, Code 2003,  
16 39 as amended by 2003 Iowa Acts, Senate File 390, section  
16 40 5, if enacted, is amended to read as follows:

16 41 3. Within twenty months after organization, the  
16 42 commission shall submit the final report to the board.  
16 43 If the commission is created pursuant to section  
16 44 331.264, subsection 4, the commission shall submit the  
16 45 final report to the board within five months after  
16 46 submission of the preliminary report to the board  
16 47 pursuant to section 331.264, subsection 3. A  
16 48 commission created pursuant to section 331.264,  
16 49 subsection 4, may adopt a motion granting itself a  
16 50 sixty-day extension of time for submission of its  
17 1 final report. If the commission recommends a charter  
17 2 including a form of government other than the existing  
17 3 form of government, the final report shall include the  
17 4 full text and an explanation of the proposed charter,

17 5 ~~a statement of whether the elected officers shall be~~  
17 6 ~~elected on a partisan or nonpartisan basis, an~~  
17 7 analysis of the fiscal impact of the proposed charter,  
17 8 any comments deemed desirable by the commission, and  
17 9 any minority reports. The final report may recommend  
17 10 no change to the existing form of government and that  
17 11 no charter be submitted to the electorate, in which  
17 12 case, the report shall state the reasons for and  
17 13 against a change in the existing form of government.  
17 14 The final report shall be made available to the  
17 15 residents of the county upon request. A summary of  
17 16 the final report shall be published in the official  
17 17 newspapers of the county and in a newspaper of general  
17 18 circulation in each participating city.

17 19 Sec. 46. Section 331.238, subsection 4, if enacted  
17 20 by 2003 Iowa Acts, Senate File 390, section 9, is  
17 21 amended to read as follows:

17 22 4. ~~Subsections 1 and 2 do~~ This section does not  
17 23 apply to the city-county consolidated form of  
17 24 government or the community commonwealth form of  
17 25 government.

17 26 Sec. 47. Section 331.247, subsection 4, Code 2003,  
17 27 as amended by 2003 Iowa Acts, Senate File 390, section  
17 28 11, if enacted, is amended to read as follows:

17 29 4. If an alternative form of government for a  
17 30 consolidated unit of local government is proposed,  
17 31 approval of the consolidation charter shall be  
17 32 separate from approval of the alternative form of  
17 33 government in those cities proposed to be included in  
17 34 the consolidation. The question of whether the  
17 35 election of officers of the consolidated unit of local  
17 36 government shall be with regard to political  
17 37 affiliation shall be a separate question on the  
17 38 ballot. Adoption of the consolidation charter  
17 39 requires the approval of a majority of the votes cast  
17 40 in the entire county. A city named on the ballot is  
17 41 included in the consolidation if the proposed charter  
17 42 is approved by a majority of the votes cast in the  
17 43 city. The consolidation charter shall be effective in  
17 44 regard to a city government only if a majority of the  
17 45 voters of the city voting on the question voted for  
17 46 participation in the consolidation charter.

17 47 Sec. 48. Section 331.248, subsection 2, paragraph  
17 48 j, if enacted by 2003 Iowa Acts, Senate File 390,  
17 49 section 13, is amended by striking the paragraph and  
17 50 inserting in lieu thereof the following:

18 1 j. Provide for the effective date of the adopted  
18 2 charter.

18 3 Sec. 49. Section 331.252, Code 2003, as amended by  
18 4 2003 Iowa Acts, Senate File 390, section 18, if  
18 5 enacted, is amended by adding the following new  
18 6 unnumbered paragraph after unnumbered paragraph 2:

18 7 NEW UNNUMBERED PARAGRAPH. If the charter described  
18 8 on this ballot is adopted, should officers of the new  
18 9 government be elected with regard to political  
18 10 affiliation?

18 11 Sec. 50. Section 331.254, subsection 7, Code 2003,  
18 12 as amended by 2003 Iowa Acts, Senate File 390, section  
18 13 19, if enacted, is amended to read as follows:

18 14 7. The merger of the elective offices of each  
18 15 consolidating county with the election of new officers  
18 16 within sixty days after the effective date of the  
18 17 charter ~~which shall specifically provide whether the~~  
18 18 ~~election of new officers shall be on a partisan or~~  
18 19 ~~nonpartisan basis, notwithstanding section 331.238,~~  
18 20 ~~subsection 3.~~ The elections shall be conducted by the  
18 21 county commissioner of elections of each county. No  
18 22 primary election shall be held. Nominations shall be  
18 23 made pursuant to section 43.78 and chapters 44 and 45,  
18 24 as applicable, except that the filing deadline shall  
18 25 be forty days before the election.

18 26 Sec. 51. Section 331.261, subsection 11, Code  
18 27 2003, as amended by 2003 Iowa Acts, Senate File 390,  
18 28 section 22, if enacted, is amended by striking the  
18 29 subsection and inserting in lieu thereof the  
18 30 following:

18 31 11. The effective date of the adopted charter.

18 32 Sec. 52. Section 331.264, subsection 4, if enacted  
18 33 by 2003 Iowa Acts, Senate File 390, section 25, is  
18 34 amended to read as follows:

18 35 4. If the committee report recommends a city=

18 36 county consolidation or community commonwealth, the  
18 37 committee shall continue its existence and be  
18 38 designated, and operate with the powers and duties of,  
18 39 a commission created pursuant to section 331.233A. If  
18 40 the committee report recommends a multicounty  
18 41 consolidation, the committee shall continue its  
18 42 existence and be designated, and operate with the  
18 43 powers and duties of, a commission created pursuant to  
18 44 section 331.233. ~~If the committee recommends an~~  
~~18 45 alternative form of government, that recommendation~~  
~~18 46 shall state whether elections conducted under that~~  
~~18 47 form of government shall be partisan or nonpartisan.~~

18 48 Sec. 53. EFFECTIVE AND APPLICABILITY DATES. This  
18 49 division of this Act, being deemed of immediate  
18 50 importance, takes effect upon enactment and applies to  
19 1 charter commissions in existence on that date.

19 2 DIVISION VI  
19 3 ECONOMIC DEVELOPMENT APPROPRIATIONS

19 4 Sec. 54. MARKETING APPROPRIATION.

19 5 1. There is appropriated from the grow Iowa fund  
19 6 created in section 15G.107, if enacted by 2003 Iowa  
19 7 Acts, House File 692 or another Act, to the department  
19 8 of economic development, for the fiscal period  
19 9 beginning July 1, 2003, and ending June 30, 2010, the  
19 10 following amounts, or so much thereof as is necessary,  
19 11 to be used for the purpose designated:

19 12 For implementing and administering the marketing  
19 13 strategy approved under section 15G.108, if enacted by  
19 14 2003 Iowa Acts, House File 692 or another Act:

19 15 FY 2003=2004.....	\$ 7,500,000
19 16 FY 2004=2005.....	\$ 7,500,000
19 17 FY 2005=2006.....	\$ 5,000,000
19 18 FY 2006=2007.....	\$ 5,000,000
19 19 FY 2007=2008.....	\$ 5,000,000
19 20 FY 2008=2009.....	\$ 5,000,000
19 21 FY 2009=2010.....	\$ 2,500,000

19 22 2. Notwithstanding section 8.33, moneys that  
19 23 remain unexpended at the end of a fiscal year shall  
19 24 not revert to any fund but shall remain available for  
19 25 expenditure for the designated purposes during the  
19 26 succeeding fiscal year.

19 27 Sec. 55. DEPARTMENT OF ECONOMIC DEVELOPMENT  
19 28 APPROPRIATION.

19 29 1. There is appropriated from the grow Iowa fund  
19 30 created in section 15G.107, if enacted by 2003 Iowa  
19 31 Acts, House File 692 or another Act, to the department  
19 32 of economic development for the fiscal period  
19 33 beginning July 1, 2003, and ending June 30, 2010, the  
19 34 following amounts, or so much thereof as is necessary,  
19 35 to be used for the purpose designated:

19 36 For programs administered by the department of  
19 37 economic development:

19 38 FY 2003=2004.....	\$ 41,575,000
19 39 FY 2004=2005.....	\$ 31,575,000
19 40 FY 2005=2006.....	\$ 35,000,000
19 41 FY 2006=2007.....	\$ 32,500,000
19 42 FY 2007=2008.....	\$ 30,500,000
19 43 FY 2008=2009.....	\$ 13,500,000
19 44 FY 2009=2010.....	\$ 13,500,000

19 45 2. Notwithstanding section 8.33, moneys that  
19 46 remain unexpended at the end of a fiscal year shall  
19 47 not revert to any fund but shall remain available for  
19 48 expenditure for the designated purposes during the  
19 49 succeeding fiscal year.

19 50 3. Each year that moneys are appropriated under  
20 1 this section, the grow Iowa board shall allocate a  
20 2 percentage of the moneys for each of the following  
20 3 types of activities:

- 20 4 a. Business start-ups.
- 20 5 b. Business expansion.
- 20 6 c. Business modernization.
- 20 7 d. Business attraction.
- 20 8 e. Business retention.
- 20 9 f. Marketing.

20 10 4. An applicant for moneys appropriated under this  
20 11 section shall be required by the department to include  
20 12 in the application a statement regarding the intended  
20 13 return on investment. A recipient of moneys  
20 14 appropriated under this section shall annually submit  
20 15 a statement to the department regarding the progress  
20 16 achieved on the intended return on investment stated

20 17 in the application. The department, in cooperation  
20 18 with the department of revenue and finance, shall  
20 19 develop a method of identifying and tracking each new  
20 20 job created through financial assistance from moneys  
20 21 appropriated under this section.  
20 22 5. The department may use moneys appropriated  
20 23 under this section to procure technical assistance  
20 24 from either the public or private sector, for  
20 25 information technology purposes, and for rail, air, or  
20 26 river port transportation-related purposes. The use  
20 27 of moneys appropriated for rail, air, or river port  
20 28 transportation-related purposes must be directly  
20 29 related to an economic development project and the  
20 30 moneys must be used to leverage other financial  
20 31 assistance moneys.

20 32 6. Of the moneys appropriated under this section,  
20 33 the department may use one-quarter of one percent for  
20 34 administrative purposes.

20 35 7. The grow Iowa board is required to approve or  
20 36 deny applications for financial assistance from moneys  
20 37 appropriated under this section.

20 38 Sec. 56. UNIVERSITY AND COLLEGE FINANCIAL  
20 39 ASSISTANCE APPROPRIATION.

20 40 1. There is appropriated from the grow Iowa fund  
20 41 created in section 15G.107, if enacted by 2003 Iowa  
20 42 Acts, House File 692 or another Act, to the grow Iowa  
20 43 board for the fiscal period beginning July 1, 2003,  
20 44 and ending June 30, 2010, the following amounts, or so  
20 45 much thereof as is necessary, to be used for the  
20 46 purposes designated:

20 47 For financial assistance for institutions of higher  
20 48 learning under the control of the state board of  
20 49 regents and for accredited private institutions as  
20 50 defined in section 261.9 for multiuse, goods  
21 1 manufacturing processes approved by the food and drug  
21 2 administration of the United States department of  
21 3 health and human services, protein purification  
21 4 facilities for plant, animal, and chemical  
21 5 manufactured proteins; upgrading food and drug  
21 6 administration drug approval laboratories in Iowa City  
21 7 to a larger multiclient, goods manufacturing processes  
21 8 facility; crop and animal livestock facilities for the  
21 9 growing of transgenic crops and livestock; and  
21 10 advanced laboratory space:

21 11 FY 2003=2004.....	\$	5,325,000
21 12 FY 2004=2005.....	\$	5,325,000
21 13 FY 2005=2006.....	\$	5,325,000
21 14 FY 2006=2007.....	\$	5,325,000
21 15 FY 2007=2008.....	\$	5,325,000
21 16 FY 2008=2009.....	\$	5,325,000
21 17 FY 2009=2010.....	\$	5,325,000

21 18 2. Notwithstanding section 8.33, moneys that  
21 19 remain unexpended at the end of a fiscal year shall  
21 20 not revert to any fund but shall remain available for  
21 21 expenditure for the designated purposes during the  
21 22 succeeding fiscal year.

21 23 3. In the distribution of moneys appropriated  
21 24 pursuant to this section, the grow Iowa board shall  
21 25 examine the potential for using moneys appropriated  
21 26 pursuant to this section to leverage other moneys for  
21 27 financial assistance to accredited private  
21 28 institutions.

21 29 4. In awarding moneys appropriated pursuant to  
21 30 this section, the grow Iowa board shall consider  
21 31 whether the purchase of suitable existing  
21 32 infrastructure is more cost-efficient than building  
21 33 new infrastructure.

21 34 5. An institution of higher learning under the  
21 35 control of the state board of regents may apply to use  
21 36 financial assistance moneys under this section for  
21 37 purposes of a public and private joint venture to  
21 38 acquire infrastructure assets or research facilities  
21 39 or to leverage moneys in a manner consistent with  
21 40 meeting the goals and performance measures provided in  
21 41 section 15G.106, if enacted by 2003 Iowa Acts, House  
21 42 File 692 or another Act.

21 43 Sec. 57. REHABILITATION PROJECT TAX CREDITS  
21 44 APPROPRIATION.

21 45 1. There is appropriated from the grow Iowa fund  
21 46 created in section 15G.107, if enacted by 2003 Iowa  
21 47 Acts, House File 692 or another Act, to the general

21 48 fund of the state, for the fiscal period beginning  
21 49 July 1, 2003, and ending June 30, 2010, the following  
21 50 amounts, or so much thereof as is necessary, to be  
22 1 used for the purpose designated:

22 2 For payment of tax credits approved pursuant to  
22 3 section 404A.4 for projects located in certified  
22 4 cultural and entertainment districts:

22 5 FY 2003=2004.....	\$	700,000
22 6 FY 2004=2005.....	\$	700,000
22 7 FY 2005=2006.....	\$	700,000
22 8 FY 2006=2007.....	\$	700,000
22 9 FY 2007=2008.....	\$	700,000
22 10 FY 2008=2009.....	\$	700,000
22 11 FY 2009=2010.....	\$	700,000

22 12 2. Notwithstanding section 8.33, moneys that  
22 13 remain unexpended at the end of a fiscal year shall  
22 14 not revert to any fund but shall remain available for  
22 15 expenditure for the designated purposes during the  
22 16 succeeding fiscal year.

22 17 Sec. 58. LOAN AND CREDIT GUARANTEE FUND  
22 18 APPROPRIATION.

22 19 1. There is appropriated from the grow Iowa fund  
22 20 created in section 15G.107, if enacted by 2003 Iowa  
22 21 Acts, House File 692 or another Act, to the department  
22 22 of economic development for the fiscal period  
22 23 beginning July 1, 2003, and ending June 30, 2010, the  
22 24 following amounts, or so much thereof as is necessary,  
22 25 to be used for the purpose designated:

22 26 For deposit in the loan and credit guarantee fund  
22 27 created in section 15E.227:

22 28 FY 2003=2004.....	\$	2,500,000
22 29 FY 2004=2005.....	\$	7,500,000
22 30 FY 2005=2006.....	\$	8,575,000
22 31 FY 2006=2007.....	\$	11,075,000
22 32 FY 2007=2008.....	\$	13,075,000
22 33 FY 2008=2009.....	\$	35,075,000
22 34 FY 2009=2010.....	\$	37,575,000

22 35 2. Notwithstanding section 8.33, moneys that  
22 36 remain unexpended at the end of a fiscal year shall  
22 37 not revert to any fund but shall remain available for  
22 38 expenditure for the designated purpose during the  
22 39 succeeding fiscal year.

22 40 Sec. 59. ENDOW IOWA TAX CREDITS.

22 41 1. There is appropriated from the grow Iowa fund  
22 42 created in section 15G.107, if enacted by 2003 Iowa  
22 43 Acts, House File 692 or another Act, to the general  
22 44 fund of the state, for the fiscal period beginning  
22 45 July 1, 2003, and ending June 30, 2010, the following  
22 46 amounts, or so much thereof as is necessary, to be  
22 47 used for the purpose designated:

22 48 For payment of endow Iowa tax credits authorized  
22 49 pursuant to section 15E.305:

22 50 FY 2003=2004.....	\$	200,000
23 1 FY 2004=2005.....	\$	200,000
23 2 FY 2005=2006.....	\$	200,000
23 3 FY 2006=2007.....	\$	200,000
23 4 FY 2007=2008.....	\$	200,000
23 5 FY 2008=2009.....	\$	200,000
23 6 FY 2009=2010.....	\$	200,000

23 7 2. Notwithstanding section 8.33, moneys that  
23 8 remain unexpended at the end of a fiscal year shall  
23 9 not revert to any fund but shall remain available for  
23 10 expenditure for the designated purposes during the  
23 11 succeeding fiscal year.

23 12 Sec. 60. ENDOW IOWA GRANTS APPROPRIATION.

23 13 1. There is appropriated from the grow Iowa fund  
23 14 created in section 15G.107, if enacted by 2003 Iowa  
23 15 Acts, House File 692 or another Act, to the department  
23 16 of economic development for the fiscal period  
23 17 beginning July 1, 2003, and ending June 30, 2010, the  
23 18 following amounts, or so much thereof as is necessary,  
23 19 to be used for the purpose designated:

23 20 For endow Iowa grants to lead philanthropic  
23 21 entities pursuant to section 15E.304:

23 22 FY 2003=2004.....	\$	200,000
23 23 FY 2004=2005.....	\$	200,000
23 24 FY 2005=2006.....	\$	200,000
23 25 FY 2006=2007.....	\$	200,000
23 26 FY 2007=2008.....	\$	200,000
23 27 FY 2008=2009.....	\$	200,000
23 28 FY 2009=2010.....	\$	200,000

23 29 2. Notwithstanding section 8.33, moneys that  
23 30 remain unexpended at the end of a fiscal year shall  
23 31 not revert to any fund but shall remain available for  
23 32 expenditure for the designated purposes during the  
23 33 succeeding fiscal year.

23 34 Sec. 61. ANTICIPATED FEDERAL MONEYS ==  
23 35 APPROPRIATION.

23 36 1. There is appropriated from the fund created by  
23 37 section 8.41, for the fiscal period beginning July 1,  
23 38 2003, and ending June 30, 2005, the following amounts  
23 39 to be used for the purpose designated:

23 40 For deposit in the grow Iowa fund created in  
23 41 section 15G.107, if enacted by 2003 Iowa Acts, House  
23 42 File 692 or another Act:  
23 43 FY 2003=2004..... \$ 59,000,000  
23 44 FY 2004=2005..... \$ 41,000,000

23 45 2. Moneys appropriated in this section are moneys  
23 46 anticipated to be received from the federal government  
23 47 for state and local government fiscal relief under the  
23 48 federal Jobs and Growth Tax Relief Reconciliation Act  
23 49 of 2003 and shall be expended as provided in the  
23 50 federal law making the moneys available and in  
24 1 conformance with chapter 17A.

24 2 3. Notwithstanding section 8.33, moneys that  
24 3 remain unexpended at the end of a fiscal year shall  
24 4 not revert to any fund but shall remain available for  
24 5 expenditure for the designated purposes during the  
24 6 succeeding fiscal year.

24 7 Sec. 62. STREAMLINED SALES AND USE TAX REVENUE ==  
24 8 APPROPRIATION.

24 9 1. There is appropriated from the general fund  
24 10 from moneys credited to the general fund as a result  
24 11 of entering into the streamlined sales and use tax  
24 12 agreement, for the fiscal period beginning July 1,  
24 13 2005, and ending June 30, 2010, the following amounts  
24 14 to be used for the purpose designated:

24 15 For deposit in the grow Iowa fund created in  
24 16 section 15G.107, if enacted by 2003 Iowa Acts, House  
24 17 File 692 or another Act:  
24 18 FY 2005=2006..... \$ 70,000,000  
24 19 FY 2006=2007..... \$ 70,000,000  
24 20 FY 2007=2008..... \$ 70,000,000  
24 21 FY 2008=2009..... \$ 70,000,000  
24 22 FY 2009=2010..... \$ 70,000,000

24 23 2. Notwithstanding section 8.33, moneys that  
24 24 remain unexpended at the end of a fiscal year shall  
24 25 not revert to any fund but shall remain available for  
24 26 expenditure for the designated purposes during the  
24 27 succeeding fiscal year.

24 28 DIVISION VII

24 29 WORKFORCE=RELATED ISSUES

24 30 Sec. 63. NEW SECTION. 260C.18A WORKFORCE  
24 31 TRAINING AND ECONOMIC DEVELOPMENT FUNDS.

24 32 1. a. A workforce training and economic  
24 33 development fund is created for each community  
24 34 college. Moneys shall be deposited and expended from  
24 35 a fund as provided under this section.

24 36 b. Moneys in the funds shall consist of any moneys  
24 37 appropriated by the general assembly and any other  
24 38 moneys available to and obtained or accepted by the  
24 39 department of economic development from federal  
24 40 sources or private sources for placement in the funds.  
24 41 Notwithstanding section 8.33, moneys in the funds at  
24 42 the end of each fiscal year shall not revert to any  
24 43 other fund but shall remain in the funds for  
24 44 expenditure in subsequent fiscal years.

24 45 2. On July 1 of each year for the fiscal year  
24 46 beginning July 1, 2003, and for every fiscal year  
24 47 thereafter, moneys from the grow Iowa fund created in  
24 48 section 15G.107, if enacted by 2003 Iowa Acts, House  
24 49 File 692 or another Act, are appropriated to the  
24 50 department of economic development for deposit in the  
25 1 workforce training and economic development funds in  
25 2 amounts determined pursuant to subsection 3. Moneys  
25 3 deposited in the funds and disbursed to community  
25 4 colleges for a fiscal year shall be expended for the  
25 5 following purposes:

25 6 a. Projects in which an agreement between a  
25 7 community college and an employer located within the  
25 8 community college's merged area meet all of the  
25 9 requirements of the accelerated career education

25 10 program under chapter 260G. However, moneys used by  
25 11 the community colleges from the workforce training and  
25 12 economic development fund for these projects shall be  
25 13 in lieu of the program job credits provided under  
25 14 chapter 260G. Projects using moneys from the  
25 15 workforce training and economic development fund under  
25 16 this paragraph shall be in accordance with rules  
25 17 adopted by the department of economic development  
25 18 under chapter 260G.

25 19 b. Projects in which an agreement between a  
25 20 community college and a business meet all the  
25 21 requirements of the Iowa jobs training Act under  
25 22 chapter 260F. However, when moneys are provided  
25 23 through the grow Iowa fund for such projects, section  
25 24 260F.6, subsections 1 and 2, and section 260F.8 shall  
25 25 not apply. Projects using moneys from the workforce  
25 26 training and economic development fund under this  
25 27 paragraph shall be in accordance with rules adopted by  
25 28 the department of economic development under chapter  
25 29 260F.

25 30 c. For the development and implementation of  
25 31 career academies designed to provide new career  
25 32 preparation opportunities for high school students  
25 33 that are formally linked with postsecondary career and  
25 34 technical education programs. Moneys from workforce  
25 35 training and economic development funds that are  
25 36 expended for purposes of this paragraph shall be in  
25 37 accordance with the plan submitted to the department  
25 38 of economic development and the grow Iowa board under  
25 39 subsection 5. For purposes of this section, "career  
25 40 academy" means a program of study that combines a  
25 41 minimum of two years of secondary education with an  
25 42 associate degree, or the equivalent, career  
25 43 preparatory program in a nonduplicative, sequential  
25 44 course of study that is standards based, integrates  
25 45 academic and technical instruction, utilizes work=  
25 46 based and worksite learning where appropriate and  
25 47 available, utilizes an individual career planning  
25 48 process with parent involvement, and leads to an  
25 49 associate degree or postsecondary diploma or  
25 50 certificate in a career field that prepares an  
26 1 individual for entry and advancement in a high-skill  
26 2 and reward career field and further education. The  
26 3 state board of education, in conjunction with the  
26 4 division of community colleges and workforce  
26 5 preparation of the department of education, and in  
26 6 consultation with the department of economic  
26 7 development, shall adopt administrative rules for the  
26 8 development and implementation of such career  
26 9 academies pursuant to section 256.11, subsection 5,  
26 10 paragraph "h", section 260C.1, and Title II of Pub. L.  
26 11 No. 105=332, Carl D. Perkins Vocational and Technical  
26 12 Education Act of 1998.

26 13 d. Programs and courses that provide vocational  
26 14 and technical training, and programs for in-service  
26 15 training and retraining under section 260C.1,  
26 16 subsections 2 and 3.

26 17 3. Moneys from the workforce training and economic  
26 18 development fund that are expended for purposes of  
26 19 this subsection shall be in accordance with the plan  
26 20 submitted to the department of economic development  
26 21 and the grow Iowa board under subsection 5. The  
26 22 maximum cumulative total amount of moneys that may be  
26 23 deposited in all the workforce training and economic  
26 24 development funds for distribution to community  
26 25 colleges in a fiscal year shall be determined as  
26 26 follows:

26 27 a. Six million dollars for the fiscal year  
26 28 beginning July 1, 2003.

26 29 b. Eleven million dollars for the fiscal year  
26 30 beginning July 1, 2004.

26 31 c. Twenty million dollars for the fiscal year  
26 32 beginning July 1, 2005.

26 33 d. Twenty million dollars for the fiscal year  
26 34 beginning July 1, 2006.

26 35 e. Twenty million dollars for the fiscal year  
26 36 beginning July 1, 2007.

26 37 f. Fifteen million dollars for the fiscal year  
26 38 beginning July 1, 2008.

26 39 g. Fifteen million dollars for the fiscal year  
26 40 beginning July 1, 2009.



26 41 4. The department of economic development shall  
26 42 allocate the moneys appropriated pursuant to this  
26 43 section to the community college workforce training  
26 44 and economic development funds utilizing the same  
26 45 distribution formula used for the allocation of state  
26 46 general aid to the community colleges.

26 47 5. Each community college shall do all of the  
26 48 following:

26 49 a. Adopt a two-year workforce training and  
26 50 economic development fund plan outlining the community  
27 1 college's proposed use of moneys appropriated under  
27 2 subsection 2.

27 3 b. Update the two-year plan annually.

27 4 c. Prepare an annual progress report on the two=  
27 5 year plan's implementation.

27 6 d. Annually submit the two-year plan and progress  
27 7 report to the department of economic development in a  
27 8 manner prescribed by rules adopted by the department  
27 9 pursuant to chapter 17A and annually file a copy of  
27 10 the plan and progress report with the grow Iowa board.

27 11 6. Any individual project using over one million  
27 12 dollars of moneys from a workforce training and  
27 13 economic development fund shall require prior approval  
27 14 from the grow Iowa board.

27 15 Sec. 64. NEW SECTION. 260F.9 JOB RETENTION  
27 16 PROGRAM AND FUND.

27 17 1. A job retention fund is created in the state  
27 18 treasury under the control of the department of  
27 19 economic development to encourage the retention of  
27 20 existing jobs and income that would otherwise be lost  
27 21 and encourage large businesses to remain in the state.  
27 22 Moneys shall be deposited and expended from the fund  
27 23 as provided in this section.

27 24 2. There is appropriated from the grow Iowa fund  
27 25 created in section 15G.107, if enacted by 2003 Iowa  
27 26 Acts, House File 692 or another Act, to the department  
27 27 of economic development for the fiscal period  
27 28 beginning July 1, 2003, and ending June 30, 2006, the  
27 29 following amounts to be used for funding of job  
27 30 retention programs and agreements authorized by the  
27 31 department and participating community colleges as  
27 32 provided in this section:

27 33 a. One million dollars for the fiscal year  
27 34 beginning July 1, 2003.

27 35 b. One million dollars for the fiscal year  
27 36 beginning July 1, 2004.

27 37 c. One million dollars for the fiscal year  
27 38 beginning July 1, 2005.

27 39 3. Notwithstanding section 8.33, moneys that  
27 40 remain unexpended at the end of a fiscal year shall  
27 41 not revert to any fund but shall remain available for  
27 42 expenditure for the designated purposes during the  
27 43 succeeding fiscal year.

27 44 4. The department of economic development shall  
27 45 administer the allocation of moneys in the job  
27 46 retention fund and shall administer the job retention  
27 47 program. The department shall adopt rules pursuant to  
27 48 chapter 17A necessary for the administration of this  
27 49 section. By January 15 of each year, the department  
27 50 shall submit a written report to the general assembly  
28 1 and the governor regarding the activities of the job  
28 2 retention program during the previous calendar year.

28 3 5. A community college and the department may  
28 4 enter into an agreement to establish a job retention  
28 5 project. A job retention project agreement shall  
28 6 include, but not be limited to, the following:

28 7 a. The date of the agreement.

28 8 b. The anticipated number of employees to be  
28 9 trained.

28 10 c. The estimated cost of training.

28 11 d. A statement regarding the number of employees  
28 12 employed by the participating business on the date of  
28 13 the agreement which must equal at least the lesser of  
28 14 one thousand employees or four percent or more of the  
28 15 county's resident labor force based on the most recent  
28 16 annual labor force statistics from the department of  
28 17 workforce development.

28 18 e. A commitment that the participating business  
28 19 shall invest at least fifteen million dollars to  
28 20 retool the workplace and upgrade the facilities of the  
28 21 participating business.

28 22 f. A commitment that the participating business  
28 23 shall not move the business operation out of this  
28 24 state or close the business operation for at least  
28 25 five years following the date of the agreement.  
28 26 g. Other criteria established by the department of  
28 27 economic development.  
28 28 6. A job retention project agreement entered into  
28 29 pursuant to this section must be approved by the board  
28 30 of trustees of the applicable community college, the  
28 31 department of economic development, and the  
28 32 participating business.

28 33 Sec. 65. NEW SECTION. 260F.101 REPORTING.  
28 34 A community college entering into an agreement  
28 35 pursuant to this chapter shall submit an annual  
28 36 written report by the end of each calendar year with  
28 37 the grow Iowa board created in section 15G.102, if  
28 38 enacted by 2003 Iowa Acts, House File 692 or another  
28 39 Act. The report shall provide information regarding  
28 40 how the agreement affects the achievement of the goals  
28 41 and performance measures provided in section 15G.106,  
28 42 if enacted by 2003 Iowa Acts, House File 692 or  
28 43 another Act.

28 44 Sec. 66. Section 260G.3, subsection 2, Code 2003,  
28 45 is amended to read as follows:

28 46 2. An agreement may include reasonable and  
28 47 necessary provisions to implement the accelerated  
28 48 career education program. If an agreement that  
28 49 utilizes program job credits is entered into, the  
28 50 community college and the employer shall notify the  
29 1 department of revenue and finance as soon as possible.  
29 2 The community college shall also file a copy of the  
29 3 agreement with the department of economic development  
29 4 as required in section 260G.4B. The agreement shall  
29 5 provide for program costs, including deferred costs,  
29 6 which may be paid from any of the following sources:

29 7 a. Program job credits which the employer receives  
29 8 based on the number of program job positions agreed to  
29 9 by the employer to be available under the agreement.

29 10 b. Cash or in-kind contributions by the employer  
29 11 toward the program cost. At a minimum, the employer  
29 12 contribution shall be twenty percent of the program  
29 13 costs.

29 14 c. Tuition, student fees, or special charges fixed  
29 15 by the board of directors to defray program costs.

29 16 d. Guarantee by the employer of payments to be  
29 17 received under paragraphs "a" and "b".

29 18 e. Moneys from a workforce training and economic  
29 19 development fund created in section 260C.18A, based on  
29 20 the number of program job positions agreed to by the  
29 21 employer to be available under the agreement, the  
29 22 amount of which shall be calculated in the same manner  
29 23 as the program job credits provided for in section  
29 24 260G.4A.

29 25 Sec. 67. NEW SECTION. 260G.101 REPORTING.

29 26 A community college entering into an agreement  
29 27 pursuant to this chapter shall submit an annual  
29 28 written report by the end of each calendar year with  
29 29 the grow Iowa board created in section 15G.102, if  
29 30 enacted by 2003 Iowa Acts, House File 692 or another  
29 31 Act. The report shall provide information regarding  
29 32 how the agreement affects the achievement of the goals  
29 33 and performance measures provided in section 15G.106,  
29 34 if enacted by 2003 Iowa Acts, House File 692 or  
29 35 another Act.

#### 29 36 DIVISION VIII

#### 29 37 LOAN AND CREDIT GUARANTEE FUND

29 38 Sec. 68. NEW SECTION. 15E.227 LOAN AND CREDIT  
29 39 GUARANTEE FUND.

29 40 1. A loan and credit guarantee fund is created and  
29 41 established as a separate and distinct fund in the  
29 42 state treasury. Moneys in the fund shall only be used  
29 43 for purposes provided in this section. The moneys in  
29 44 the fund are appropriated to the department to be used  
29 45 for all of the following purposes:

29 46 a. Payment of claims pursuant to loan and credit  
29 47 guarantee agreements entered into under this division.

29 48 b. Payment of administrative costs of the  
29 49 department for actual and necessary administrative  
29 50 expenses incurred by the department in administering  
30 1 the program.

30 2 c. Purchase or buyout of superior or prior liens,

30 3 mortgages, or security interests.  
30 4 2. Moneys in the loan and credit guarantee fund  
30 5 shall consist of all of the following:  
30 6 a. Moneys appropriated by the general assembly for  
30 7 that purpose and any other moneys available to and  
30 8 obtained or accepted by the department for placement  
30 9 in the fund.  
30 10 b. Proceeds from collateral assigned to the  
30 11 department, fees for guarantees, gifts, and moneys  
30 12 from any grant made to the fund by any federal agency.  
30 13 c. Moneys appropriated from the grow Iowa fund  
30 14 created in section 15G.107, if enacted by 2003 Iowa  
30 15 Acts, House File 692 or another Act.  
30 16 3. Moneys in the fund are not subject to section  
30 17 8.33. Notwithstanding section 12C.7, interest or  
30 18 earnings on the moneys in the fund shall be credited  
30 19 to the fund.  
30 20 4. a. The department shall only pledge moneys in  
30 21 the loan and credit guarantee fund and not any other  
30 22 moneys of the department. The department may pledge  
30 23 an amount not to exceed a total of any of the  
30 24 following amounts of moneys in the fund to assure the  
30 25 repayment of loan and credit guarantees or other  
30 26 extensions of credit made to or on behalf of qualified  
30 27 businesses or targeted industry businesses for  
30 28 eligible project costs.  
30 29 (1) Two million five hundred thousand dollars for  
30 30 the fiscal year beginning July 1, 2003.  
30 31 (2) Seven million five hundred thousand dollars  
30 32 for the fiscal year beginning July 1, 2004.  
30 33 (3) Eight million five hundred seventy-five  
30 34 thousand dollars for the fiscal year beginning July 1,  
30 35 2005.  
30 36 (4) Eleven million seventy-five thousand dollars  
30 37 for the fiscal year beginning July 1, 2006.  
30 38 (5) Thirteen million seventy-five thousand dollars  
30 39 for the fiscal year beginning July 1, 2007.  
30 40 (6) Thirty-five million seventy-five thousand  
30 41 dollars for the fiscal year beginning July 1, 2008.  
30 42 (7) Thirty-seven million five hundred seventy-five  
30 43 thousand dollars for the fiscal year beginning July 1,  
30 44 2009.  
30 45 b. The department shall not pledge the credit or  
30 46 taxing power of this state or any political  
30 47 subdivision of this state or make debts payable out of  
30 48 any moneys except for those in the loan and credit  
30 49 guarantee fund.  
30 50 Sec. 69. This division of this Act is repealed  
31 1 July 1, 2008.

31 2 DIVISION IX  
31 3 UNIVERSITY=BASED RESEARCH UTILIZATION  
31 4 PROGRAM APPROPRIATION

31 5 Sec. 70. NEW SECTION. 262B.12 APPROPRIATION.  
31 6 On July 1 of each year there is appropriated from  
31 7 the general fund of the state to each university under  
31 8 the control of the state board of regents, an amount  
31 9 equal to the amount determined by the department of  
31 10 economic development pursuant to section 262B.11,  
31 11 subsection 4, paragraph "c", subparagraph (2), if  
31 12 enacted by 2003 Iowa Acts, House File 692 or another  
31 13 Act.

31 14 DIVISION X  
31 15 ENDOW IOWA TAX CREDIT  
31 16 Sec. 71. NEW SECTION. 15E.305 ENDOW IOWA TAX  
31 17 CREDIT.

31 18 1. For tax years beginning on or after January 1,  
31 19 2003, a tax credit shall be allowed against the taxes  
31 20 imposed in chapter 422, divisions II, III, and V, and  
31 21 in chapter 432, and against the moneys and credits tax  
31 22 imposed in section 533.24 equal to twenty percent of a  
31 23 taxpayer's endowment gift to a qualified community  
31 24 foundation. An individual may claim a tax credit  
31 25 under this section of a partnership, limited liability  
31 26 company, S corporation, estate, or trust electing to  
31 27 have income taxed directly to the individual. The  
31 28 amount claimed by the individual shall be based upon  
31 29 the pro rata share of the individual's earnings from  
31 30 the partnership, limited liability company, S  
31 31 corporation, estate, or trust. A tax credit shall be  
31 32 allowed only for an endowment gift made to a qualified  
31 33 community foundation for a permanent endowment fund

31 34 established to benefit a charitable cause in this  
31 35 state. Any tax credit in excess of the taxpayer's tax  
31 36 liability for the tax year may be credited to the tax  
31 37 liability for the following five years or until  
31 38 depleted, whichever occurs first. A tax credit shall  
31 39 not be carried back to a tax year prior to the tax  
31 40 year in which the taxpayer claims the tax credit.

31 41 2. The aggregate amount of tax credits authorized  
31 42 pursuant to this section shall not exceed a total of  
31 43 two million dollars. The maximum amount of tax  
31 44 credits granted to a taxpayer shall not exceed five  
31 45 percent of the aggregate amount of tax credits  
31 46 authorized.

31 47 3. A tax credit shall not be transferable to any  
31 48 other taxpayer.

31 49 4. A tax credit shall not be authorized pursuant  
31 50 to this section after December 31, 2005.

32 1 5. The department shall develop a system for  
32 2 registration and authorization of tax credits under  
32 3 this section and shall control the distribution of all  
32 4 tax credits to taxpayers providing an endowment gift  
32 5 subject to this section. The department shall adopt  
32 6 administrative rules pursuant to chapter 17A for the  
32 7 qualification and administration of endowment gifts.

32 8 Sec. 72. NEW SECTION. 422.11H ENDOW IOWA TAX  
32 9 CREDIT.

32 10 The tax imposed under this division, less the  
32 11 credits allowed under sections 422.12 and 422.12B,  
32 12 shall be reduced by an endow Iowa tax credit  
32 13 authorized pursuant to section 15E.305.

32 14 Sec. 73. Section 422.33, Code 2003, is amended by  
32 15 adding the following new subsection:

32 16 NEW SUBSECTION. 14. The taxes imposed under this  
32 17 division shall be reduced by an endow Iowa tax credit  
32 18 authorized pursuant to section 15E.305.

32 19 Sec. 74. Section 422.60, Code 2003, is amended by  
32 20 adding the following new subsection:

32 21 NEW SUBSECTION. 7. The taxes imposed under this  
32 22 division shall be reduced by an endow Iowa tax credit  
32 23 authorized pursuant to section 15E.305.

32 24 Sec. 75. NEW SECTION. 432.12D ENDOW IOWA TAX  
32 25 CREDIT.

32 26 The tax imposed under this chapter shall be reduced  
32 27 by an endow Iowa tax credit authorized pursuant to  
32 28 section 15E.305.

32 29 Sec. 76. Section 533.24, Code 2003, is amended by  
32 30 adding the following new unnumbered paragraph:

32 31 NEW UNNUMBERED PARAGRAPH. The moneys and credits  
32 32 tax imposed under this section shall be reduced by an  
32 33 endow Iowa tax credit authorized pursuant to section  
32 34 15E.305.

32 35 Sec. 77. EFFECTIVE AND RETROACTIVE APPLICABILITY  
32 36 DATES. This division of this Act, being deemed of  
32 37 immediate importance, takes effect upon enactment and  
32 38 is retroactively applicable to January 1, 2003, for  
32 39 tax years beginning on or after that date.

#### 32 40 DIVISION XI

#### 32 41 REHABILITATION PROJECT TAX CREDITS

32 42 Sec. 78. Section 404A.4, subsection 4, Code 2003,  
32 43 is amended to read as follows:

32 44 4. The total amount of tax credits that may be  
32 45 approved for a fiscal year under this chapter shall  
32 46 not exceed two million four hundred thousand dollars.  
32 47 For the fiscal years beginning July 1, 2003, and July  
32 48 1, 2004, an additional two million dollars of tax  
32 49 credits may be approved each fiscal year for purposes  
32 50 of projects located in cultural and entertainment  
33 1 districts certified pursuant to section 303.3B, if  
33 2 enacted by 2003 Iowa Acts, House File 692 or another  
33 3 Act. Any of the additional tax credits allocated for  
33 4 projects located in certified cultural and  
33 5 entertainment districts that are not approved during a  
33 6 fiscal year may be carried over to the succeeding  
33 7 fiscal year. Tax credit certificates shall be issued

33 8 on the basis of the earliest awarding of  
33 9 certifications of completion as provided in subsection  
33 10 1. The departments of economic development and  
33 11 revenue and finance shall each adopt rules to jointly  
33 12 administer this subsection and shall provide by rule  
33 13 for the method to be used to determine for which  
33 14 fiscal year the tax credits are approved.

33 15 DIVISION XII  
33 16 STATE ASSISTANCE FOR EDUCATIONAL INFRASTRUCTURE FUND  
33 17 Sec. 79. Section 8.57, subsection 5, Code 2003, is  
33 18 amended by adding the following new paragraph:  
33 19 NEW PARAGRAPH. f. There is appropriated from the  
33 20 rebuild Iowa infrastructure fund to the state  
33 21 assistance for educational infrastructure fund created  
33 22 in 2003 Iowa Acts, House File 692 or another Act, for  
33 23 each fiscal year of the fiscal period beginning July  
33 24 1, 2004, and ending June 30, 2014, the sum of ten  
33 25 million dollars. The appropriation in this paragraph  
33 26 shall be made after the appropriation to the  
33 27 environment first fund pursuant to section 8.57A,  
33 28 subsection 4.  
33 29 Sec. 80. NEW SECTION. 292A.3A APPROPRIATION.  
33 30 There is appropriated from the general fund of the  
33 31 state from the revenue collected as a result of the  
33 32 state entering into the streamlined sales and use tax  
33 33 agreement to the state assistance for educational  
33 34 infrastructure fund created in 2003 Iowa Acts, House  
33 35 File 692 or another Act, the sum of five million  
33 36 dollars for each fiscal year of the fiscal period  
33 37 beginning July 1, 2004, and ending June 30, 2014. The  
33 38 appropriation in this section shall be made after the  
33 39 appropriation from the same source to the grow Iowa  
33 40 fund created in 2003 Iowa Acts, House File 692 or  
33 41 another Act.

33 42 DIVISION XIII  
33 43 REPEALS  
33 44 Sec. 81. The divisions of this Act designated  
33 45 economic development appropriations, workforce-related  
33 46 issues, loan and credit guarantee fund, university=  
33 47 based research utilization program appropriation,  
33 48 endow Iowa tax credit, and rehabilitation project tax  
33 49 credits are repealed effective June 30, 2010.

33 50 DIVISION XIV  
34 1 EFFECTIVE DATE  
34 2 Sec. 82. EFFECTIVE DATE. Unless otherwise  
34 3 provided in this Act, this Act takes effect July 1,  
34 4 2003.>  
34 5 #2. Title page, by striking lines 1 through 15 and

1  
34 6 inserting the following: 34 7 development, financial, taxation, and regulatory  
34 8 matters, making and revising appropriations, and  
34 9 including effective, applicability, and retroactive  
34 10 applicability provisions.>  
34 11  
34 12  
34 13

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34 14 COMMITTEE ON APPROPRIATIONS  
34 15 JEFF LAMBERTI, CHAIRPERSON  
34 16 HF 683.313 80  
34 17 tm/cf